

Honolulu, Hawaii
Feb 29, 2008

RE: H.B. No. 3386
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 3386, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ATTORNEYS,"

begs leave to report as follows:

The purpose of this bill is to ensure the timely provision of legal services to state departments by:

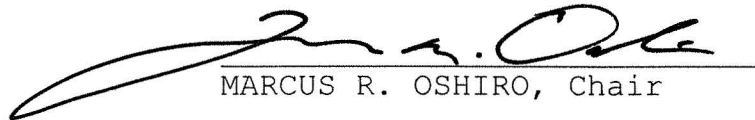
- (1) Allowing a board, commission, or agency to employ or retain outside counsel in a matter other than one in which the board, commission, or agency is a defendant in litigation, if the Attorney General (AG) declines representation based on a conflict of interest; and
- (2) Amending the method by which any court or judicial or legislative office may retain legal representation. Specifically, state departments may request representation by the AG, however, if the AG declines representation due to a conflict, the AG shall employ or retain outside counsel to provide the representation, subject to the approval of the court or judicial or legislative office.

The Judiciary testified in support of this bill. The Department of the Attorney General opposed this measure.



As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3386, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



